

Message Text

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ACTION CU-04

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FM USLO PEKING

TO SECSTATE WASHDC 1761

INFO AMCONSUL HONG KONG

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E.O. 11652: N/A

TAGS: SCUL CH

SUBJECT: ARCHEOLOGICAL EXHIBITION-TEXT OF DRAFT LETTER
FROM VICE FONMIN TO CHIEF OF USLO

REF: PEKING 0761

FOLLOWING IS TEXT OF DRAFT LETTER TO BE HANDED BY PRC
VICE FONMIN TO CHIEF OF USLO IN CONNECTION WITH VISIT OF
ARCHEOLOGICAL EXHIBITION TO THE U.S. BEGIN QUOTE

EXCELLENCY,

WHEN DR. HENRY KISSINGER, ASSISTANT TO THE PRESIDENT
OF THE UNITED STATES ON NATIONAL SECURITY AFFAIRS, WAS
ON A VISIT TO THE PEOPLE'S REPUBLIC OF CHINA IN
FEBRUARY 1973, HE EXPRESSED TO THE CHINESE GOVERNMENT
THE HOPE THAT THE EXHIBITION OF ARCHAEOLOGICAL FINDS
OF THE PEOPLE'S REPUBLIC OF CHINA WOULD BE HELD IN THE
UNITED STATES. I HAVE THE HONOR TO INFORM YOUR ECELLENCY
THAT, WITH A VIEW TO PROMOTING UNDERSTANDING AND FRIENDSHIP
BETWEEN THE CHINESE AND AMERICAN PEOPLES, THE
CHINESE GOVERNMENT HAS AGREED TO THE HOLDING OF THIS
EXHIBITION IN THE TWO CITIES OF WASHINGTON, D.C. AND
.....FROM DECEMBER 8, 1974, TO JUNE 7, 1975.

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TO ENSURE THE COMPLETE SUCCESS OF THE EXHIBITION,

I WISH TO CALL YOUR EXCELLENCY'S ATTENTION TO THE
FOLLOWING POINTS:

1. THE BODY RESPONSIBLE FOR THE EXHIBITION ON THE
CHINESE SIDE IS THE CHINESE COMMITTEE FOR THE ORGANIZATION
OF EXHIBITIONS OF ARCHAEOLOGICAL FINDS. IT WILL
SIGN AN AGREEMENT ON SPECIFIC ARRANGEMENTS FOR THE
EXHIBITION WITH A CORRESPONDING U.S. BODY.
2. ANNEX A CONTAINS A LIST OF THE OBJECTS TO BE
EXHIBITED. THE INDIVIDUAL VALUATIONS OF THESE EXHIBITS
ARE LISTED IN ANNEX B. THESE ANNEXES SHALL NOT BE
SUBJECT TO MODIFICATION EXCEPT WITH THE CONSENT OF THE
BODIES RESPONSIBLE FOR THE EXHIBITION ON BOTH SIDES.
3. THE U.S. GOVERNMENT GUARANTEES JUDICIAL AND
ADMINISTRATIVE IMMUNITIES FOR THE EXHIBITS LISTED IN
ANNEX A WHILE THEY ARE IN THE UNITED STATES. THE U.S.
SIDE SHALL ADOPT COMPREHENSIVE MEASURES TO ENSURE THE
SECURITY OF THE EXHIBITS AFTER THEIR ENTRY INTO THE
TERRITORY OF THE UNITED STATES AND FACILITATE THE SMOOTH
HANDLING OF THE EXHIBITION.
4. THE EXHIBITS SHALL BE HANDED OVER BY A
REPRESENTATIVE OF THE CHINESE GOVERNMENT TO A REPRESENTATIVE
OF THE U.S. GOVERNMENT IN TORONTO; THE PROCEDURE
FOR HANDING OVER THE OBJECTS SHALL BE DETERMINED
BETWEEN THE BODIES RESPONSIBLE FOR THE EXHIBITION ON
THE TWO SIDES.
5. IN THE EVENT OF LOSS OR DAMAGE OF THE OBJECTS
DURING SHIPMENT FROM TORONTO TO WASHINGTON, OR WHILE
THEY ARE IN THE U.S. OR EN ROUTE FROM ... BACK TO
PEKING, THE U.S. GOVERNMENT SHALL INDEMNIFY THE
CHINESE GOVERNMENT IN ACCORDANCE WITH THEIR INDIVIDUAL
VALUATIONS AS LISTED IN ANNEX B.

IN THE EVENT THAT LOSS OR DAMAGE RESULTS FROM
SUCH ACTS AS FORCE MAJEURE AS CRASH OF AIRCRAFT, WAR
OR WARLIKE OPERATIONS OR STRONG EARTHQUAKES, COMPENSATION
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SHALL BE PAID AT A RATE OF 50 PER CENT OF THE
VALUES LISTED FOR THE INDIVIDUAL ITEMS IN ANNEX B.

6. THE U.S. GOVERNMENT SHALL BEAR THE SHIPPING COSTS
OF THE EXHIBITS FROM TORONTO TO WASHINGTON, FROM
WASHINGTON TO ... AND FROM ... TO PEKING. THE MEANS
OF TRANSPORT SHALL BE PROVIDED BY THE U.S. SIDE.

7. ANY QUESTIONS OR DISPUTES WHICH MAY ARISE IN CONNECTION WITH THIS EXHIBITION SHALL BE SETTLED THROUGH CONSULTATIONS BETWEEN THE OFFICIAL ORGANS OF THE TWO COUNTRIES.

IF YOUR EXCELLENCY KINDLY CONFIRMS THE ABOVEMENTIONED POINTS IN A LETTER OF REPLY, THIS LETTER AND YOUR EXCELLENCY'S REPLY SHALL CONSTITUTE AN AGREEMENT BETWEEN OUR TWO SIDES.

I AVAIL MYSELF OF THIS OPPORTUNITY TO EXPRESS TO YOUR EXCELLENCY THE ASSURANCES OF MY HIGHEST CONSIDERATION. (SIGNED) ... VICE MINISTER OF FOREIGN AFFAIRS OF THE PEOPLE'S REPUBLIC OF CHINA. CLOSE QUOTE.

COMMENT: THE ONLY SUBSTANTIVE CHANGE IN THIS VERSION FROM THE ONE PASSED TO US APRIL 17 IS THE ADDITION IN POINT THREE OF THE STATEMENT REGARDING U.S. GUARANTEES OF JUDICIAL AND ADMINISTRATIVE IMMUNITIES FOR THE EXHIBITS. IT APPEARS TO BE A PRECAUTION RELATED TO THE BLOCKED ASSETS/PRIVATE CLAIMS SETTLEMENT PROBLEM.
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